

**BEST AVAILABLE COPY****REMARKS**

Claims 1, 7, 8 and 18 have been amended.

The Examiner has rejected applicant's claims 1-4, 7-11 and 14-18 under 35 U.S.C. § 103(a) as being obvious over the Prior Art disclosed in applicant's FIGS. 6A and 6B in view of the Nakagishi patent (US Patent 6,424,068). With respect to applicant's claims, as amended, these rejections are respectfully traversed.

Applicant's independent claims 1, 7, 8 and 18 have been amended to better define applicant's invention. More particularly, applicant's amended claim 1 recites a driver, comprising: a rotor to which a magnet is fixed, adapted to be rotated with an axis portion as a center; a first bearing for supporting one end of the axis portion of the rotor; a second bearing for supporting the other end of the axis portion of the rotor, the first bearing and the second bearing being formed in a bobbin; and a yoke arranged in a position shifted in a thrust direction with respect to the magnet, wherein the axis portion of the rotor is biased in an axial direction of the rotor and in a radial direction of the rotor by a magnetic force acting between the yoke and the magnet, and a fitted portion of the first bearing into which the axis portion is fitted is formed into a tapered shape and the fitted portion and the axis portion are in a relation of a line osculation, so as to prevent the axis portion of the rotor from being shifted in one direction of the radial direction of the rotor at the fitted portion of the first bearing by being biased in the radial direction. Applicant's claim 8 has been similarly amended.

Amended claim 7 has been amended to recite a driver, comprising a rotor to which a magnet is fixed, adapted to be rotated with an axis portion as a center; a first bearing for

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supporting one end of the axis portion of the rotor; a second bearing for supporting the other end of the axis portion of the rotor, the first bearing and the second bearing being formed in a bobbin; and a yoke arranged in a position shifted in a thrust direction with respect to the magnet, wherein the axis portion of the rotor is biased in an axial direction of the rotor and in a radial direction of the rotor by a magnetic force acting between the yoke and the magnet, and a fitting portion of the axis portion which is fitted into the first bearing is formed into a tapered shape and the fitted portion and the first bearing are in a relation of a line osculation, so as to prevent the axis portion of the rotor from being shifted in one direction of the radial direction of the rotor at the fitted portion of the first bearing by being biased in the radial direction. Applicant's claim 18 has been similarly amended.

Support for the amendments to claims 1, 7, 8 and 18 is set forth in the specification at page 12, line 16 to page 14, line 4, as well as in FIGS. 1A and 1B of the drawings. In particular, support for the phrase "line osculation" is provided in the specification at page 13, line 25 to page 14, line 4, and which is further discussed below.

Applicant's invention is directed to a driver having various features including, among other things, (1) a first bearing which is formed in the bobbin; and (2) the first bearing (1a in FIG. 1B) and the axis portion (2c) are in a so-called line osculation relation, that is, that the first bearing is in contact with the axis portion in a line form. The first bearing is formed within the bobbin in such a manner so that the first bearing is fixed, i.e., not movable, within the bobbin. Moreover, and equally important, the first bearing is in line-contact with the axis portion 102(c), as shown in FIGS. 1A and 1B. With both conditions (1) and (2) mentioned above

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satisfied, the axis portion 2c is positioned and held in an effective manner to maintain stability and to prevent vibrations to the rotation axis.

To reject the applicant's claims, the Examiner combined applicant's admitted Prior Art as disclosed in FIGS. 6A and 6B of the drawings in the application with the Nakagishi patent. The Examiner acknowledged that Prior Art FIGS. 6A and 6B do not disclose a first bearing having a tapered shape, but relies upon Nakagishi patent for allegedly disclosing this feature. To clarify the claimed invention, claims 1 and 8, as amended herein, set forth that "the fitted portion and the axis portion are in a relation of a line osculation." Similarly, claims 7 and 18, as amended herein, set forth that "the fitted portion and the first bearing are in a relation of a line osculation." On the other hand, the Nakagishi patent does not disclose these recited features of applicant's claimed invention. For example, FIG. 9 of the Nakagishi patent shows an arrangement where the end of the tip of the axis portion is in contact with the "fitted portion" of the bearing and, therefore, the axis portion is in contact with the bearing at one point, which is distinct from applicant's claimed "line osculation" limitation. Applicant's specification from page 13, line 25 to page 14, line 4 makes it clear that there is contact along a line (i.e., "line osculation") which is in the shape of a circle when viewed in the thrust (i.e., axial) direction. As a result, there is greater contact between the axis portion and the bearing of applicant's claimed invention as compared to that shown in the Nakagishi patent. There also is greater contact between the axis portion and the bearing of applicant's claimed invention in the radial direction as compared to that shown in the Nakagishi patent. These features in turn result in greater stabilization of the axis portion, particularly in the radial direction, of applicant's

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claimed invention.

Turning to FIGS. 23 and 24 of the Nakagishi patent, center pin 101 and member 103 in FIG. 23 and center pin 105 and member 115 in FIG. 24 exert pressure in an oblique direction, that is, non-axial direction, with respect to the members 103 and 105. Due to this exertion of force or pressure in the oblique direction, the positioning effect of each member is relatively low, in contrast to applicant's claimed invention. Moreover, the design shown in FIGS. 23 and 24 of the Nakagishi patent do not satisfy applicant's claimed feature of "the first bearing and the second bearing being formed in a bobbin." Instead, FIGS. 23 and 24 of the Nakagishi patent clearly show that one of the bearings is provided outside of the bobbin.

Finally, in response to the Examiner's statement set forth in paragraph no. 2 of the office action (page 3), applicant disagrees with the Examiner's position that "applicant is in agreement that the claims are unpatentable based on this grounds of rejection." On the contrary, applicant's prior response amended the claims and set forth arguments that addressed the combination of the Prior Art of FIGS 6A and 6B in combination with Nakagishi.

Applicant's amended claims 1, 7, 8 and 18, and their respective dependent claims, all of which recite such features, thus patentably distinguish over the combination of the Prior Art disclosed in applicant's FIGS. 6A and 6B and the Nakagishi patent. It is therefore requested that the rejection of the claims under 35 U.S.C. § 103 be withdrawn.

In view of the above, it is submitted that applicant's claims, as amended, patentably distinguish over the cited art of record. Accordingly, reconsideration of the claims is respectfully requested. If the Examiner believes that an interview would expedite consideration

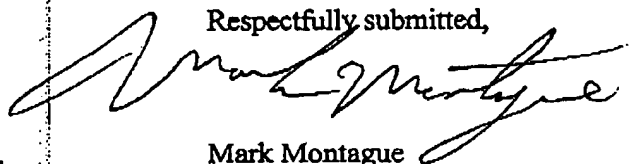
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of this Amendment or of the application, a request is made that the Examiner telephone applicant's counsel at (212) 790-9200.

Dated: April 20, 2005

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Respectfully submitted,



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